



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, Ca. 94105

Certified Mail No.: 7013 1090 0000 1618 9457
Return Receipt Requested

OCT 08 2015

Mr. Lawrence McMahon
Vice-President, Fuel Consortiums
Aircraft Services International Group (ASIG)
ASIG/LAX Fuel
9900 LAXfuel Road
Los Angeles, CA 90045

Re: Request for Information Pursuant to Sections 308 and 311
of the Clean Water Act, 33 U.S.C. §§ 1318 and 1321
National Response Center Report 1106276 dated January 21, 2015

Dear Mr. McMahon:

The U.S. Environmental Protection Agency ("U.S. EPA") is investigating the source, extent and nature of a discharge of materials, including oil or hazardous substances, from the Aircraft Services International Group, Inc. (ASIG), facility located on Sand Island in Honolulu, Hawaii. As part of the investigation, the U.S. EPA is requiring ASIG ("Respondent") to provide information related to the events that surrounded the release of oil or pollutants discovered in December 2014, and referred to in the report to the National Response Center on January 21, 2015.

Pursuant to the authority of Sections 308 and 311(m) of the Clean Water Act ("Act"), 33 U.S.C. §§ 1318 and 1321(m), Respondent is required to furnish the information and documents specified in the enclosed Information Requests. Providing the information specified in these Information Requests is mandatory. Failure to respond fully and truthfully to each and every Information Request within thirty (30) days of receipt of this letter may result in enforcement action by the U.S. EPA pursuant to Section 309 of the Act, 33 U.S.C. § 1319, which authorizes the United States to seek penalties from a federal court of up to thirty-seven thousand five hundred dollars (\$37,500) per day for each day of continued non-compliance. "Non-compliance" is considered by the U.S. EPA to include not only failure to respond to the Requests, but also failure to respond completely and truthfully to each Request.

The Information Requests are directed to you, Respondent, its officers, directors, and employees and its subsidiaries, divisions, facilities and their officers, directors and employees.

The Information Requests are not subject to approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. Part 35.

The required information must be submitted, no later than thirty (30) calendar days after receipt of this letter, to:

Pete Reich
U.S. EPA Region 9 Oil Program
75 Hawthorne Street, ENF-3-2
San Francisco, California 94105

Any request for an extension to the time limit for responding must be in writing to Mr. Reich at the above address and must be made within fifteen (15) calendar days of receipt of this information request.

The Respondent is required to include a signed statement certifying that: 1) you have completed a diligent records search; 2) you have diligently interviewed all present and former employees, and other persons, who may have information relevant to the information requests; 3) all information responsive to the U.S. EPA's requests has been sent; and 4) the submitted information is true, correct, and complete to the best of your knowledge and belief.

The U.S. EPA's regulations on confidential business information are found in Part 2, Subpart B of Title 40 of the Code of Federal Regulations ("C.F.R."). Please identify any information that you claim is confidential business information. If you make a confidentiality claim, and if the U.S. EPA determines that the information you designated meets the criteria in 40 C.F.R. § 2.208, we will disclose the information only to the extent, and by means of the procedures, specified in 40 C.F.R. Part 2, Subpart B. If you do not claim that any of the information is confidential, we will assume that you are waiving confidentiality and the information that you provide may be made public without further notice.

Pursuant to 40 C.F.R. § 2.310(h), Disclosure to Authorized Representatives, you are given notice that the U.S. EPA may disclose your response to the U.S. EPA's contractors and to state or local agencies that have duties or responsibilities under the Act. If you have any comments on this action, you must submit them to us within thirty (30) days of receipt of this letter.

The U.S. EPA may disclose your response to its authorized representatives for any of the following reasons: document handling, inventory, indexing, review, and analysis. Our authorized representatives include Weston Solutions Inc., U.S. EPA Contract Number EP-S5-13—02.

ASIG Sand Island Facility
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If you have any questions, please contact Mr. Reich at (415) 972-3052 or
reich.peter@epa.gov. We appreciate your cooperation and prompt attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Claire Trombadore", written in a cursive style.

for Claire Trombadore, Assistant Director
Water and Pesticides Branch
Enforcement Division

Enclosure

cc: Andrew Helmlinger, U.S. EPA ORC

Information Requests
Pursuant to Sections 308 and 311(m) of the Act

INSTRUCTIONS

Each of the following instructions apply to all of the attached Information Request items:

1. A separate response must be made to each of the questions set forth in this Information Request.
2. Precede each answer with the number of the Information Request to which it corresponds. For each document produced in response to the Information Requests, indicate on the document, or in some other reasonable manner, the number of each question to which it responds. If the information responsive to a particular request already has been provided to the U.S. EPA, you may reference the particular submittal that contains the relevant information and the pages on which the information appears.
3. In answering each Information Request, identify all contributing sources of information.
4. If information not known or not available to the Respondent as of the date of submission of its response should later become known or available, Respondent must supplement its response to the U.S. EPA. Moreover, should the Respondent find, at any time after the submission of its response that any portion of the submitted information is false or misrepresents the truth, respondent must notify the U.S. EPA as soon as possible.
5. You must respond to the Information Requests on the basis of all information and documents in your possession, custody or control or in the possession, custody or control of your former or current employees, agents, servants, contractors or attorneys. Furnish such information as is available to you, regardless of whether it is based on personal knowledge, and regardless of source.
6. Any written statements in your response must be notarized and returned under an authorized signature certifying that all statements contained in the response are true and accurate to the best of the signatory's knowledge and belief.
7. If any documents requested herein have been transferred voluntarily or involuntarily to others or have been otherwise disposed of, identify each such document, identify the person to whom it was transferred, describe the circumstances surrounding such transfer or other disposition, and state the date or approximate date of such transfer or other disposition.
8. The U.S. EPA regulations concerning confidentiality and treatment of business information are contained in 40 C.F.R. Part 2, Subpart B. You may not withhold information from the Administrator or his authorized representative because you believe

the information is confidential. However, when requested to do so, the Administrator is required to consider information to be confidential and to treat it accordingly, if disclosure would divulge methods or processes entitled to protection as trade secrets (33 U.S.C. §§ 1318(b) and 1321(m)(2)(D), and 18 U.S.C. § 1905), except that effluent data (as defined in 40 C.F.R. § 2.302(a)(2)) may not be considered confidential by the U.S. EPA.

The regulations provide that one may assert a business confidentiality claim covering part or all of any trade secret information furnished to the U.S. EPA at the time such information is provided to the Agency. The manner of asserting such claims is specified in 40 C.F.R. § 2.203(b). In the event that a request is made for release of information covered by such claim of confidentiality or the Agency otherwise decides to make a determination as to whether such information is entitled to such confidential treatment, notice will be provided to the claimant prior to any release of the information. However, if no claim of confidentiality is made when information is furnished to the U.S. EPA, any information submitted to the Agency may be made available to the public without prior notice.

DEFINITIONS

For the purpose of the Instructions and Information Requests set forth herein, the following definitions shall apply:

1. The term “you” or “Respondent” shall mean the addressee of the Request, the addressee’s officers, managers, employees, contractors, trustees, predecessors, successors, assigns, subsidiaries, and agents.
2. The term “person” as used herein includes, in the plural as well as the singular, any natural person, firm, contractor, unincorporated association, partnership, corporation, trust or governmental entity, unless the context indicates otherwise.
3. The “Facility” shall mean the ASIG Sand Island Facility located Honolulu, Hawaii.
4. The term “oil” shall have the same definition as that contained in Section 311(a)(1) of the Act, 33 U.S.C. § 1321(a)(1).
5. The term “hazardous substances” shall have the same definition as that contained in Section 311(a)(14) of the Act, 33 U.S.C. § 1321(a)(14), including the substances listed in 40 C.F.R. Part 116.
6. The terms “furnish,” “describe,” “indicate” or “provide” shall mean turning over to the U.S. EPA either original or duplicate copies of the requested information in the possession, custody, or control of the Respondent. Where specific information has not been memorialized in any document but is nonetheless responsive to an information request, you must respond to the request with a written response. If such requested information is not in your possession, custody, or control then indicate where such information or documents may be obtained.
7. The term “identify” means, with respect to a natural person, to set forth his or her full name, present or last known business address, the name of his or her employer and a description of the job responsibilities of such person.
8. The term “identify” means, with respect to a corporation, partnership, business trust or other association or business entity (including a sole proprietorship) to set forth its full name, address, legal form (e.g., corporation, partnership, etc.) organization, if any, and a brief description of its business.
9. The term “identify” means, with respect to a document, to provide its customary business description, its date, its number if any (invoice or purchase order number), the identity of the author, addressor, addressee or recipient, and the substance of the subject matter.
10. The term “discharge” shall have the same definition as that contained in Section

311(a)(2) of the Act, 33 U.S.C. § 1321(a)(2), which includes, but is not limited to, any spilling, leaking, pumping, pouring, emitting, emptying or dumping.

11. As used here, “document” and “documents” shall include writings of any kind, formal or informal, whether or not wholly or partially in handwriting (included by the way of illustration and not by way of limitation), any invoice, receipt, endorsement, check, bank draft, canceled check, deposit slip, withdrawal slip, order, correspondence, record book, minutes, memoranda of telephone and other conversations including meetings, agreements, and the like, diary, calendar, desk pad, scrap book, notebook, bulletin, circular, form, pamphlet, statement, journal, postcard, letter, telegram, telex, report, notice, message, analysis, comparison, graph, chart, interoffice or intra office communications, Photostat or other copy of any documents, microfilm or other film record, any photograph, sound recording on any type of device, any punch card, disc, or disc pack; and any tape or other type of memory generally associated with computers and data processing (together with the programming instructions and other written material necessary to use such punch card, disc or disc pack, tape or other type of memory and together with printouts of such punch card, disc or disc pack, video tape or other type of memory); including (a) every copy of each document that is not an exact duplicate of a document that is produced, (b) every copy that has any writing, figure or notation, annotation or the like of it, (c) drafts, (d) attachments to or enclosures with any documents and (e) every document referred to in any other document.
12. “And” as well as “or” shall be construed either disjunctively or conjunctively as necessary to bring within the scope of these Information Requests any information that might otherwise be construed to be outside their scope.
13. “Natural Resources” includes land, fish, wildlife, biota, air, water, ground water, drinking water supplies, and other such resources belonging to, managed by, held in trust by, appertaining to, or otherwise controlled by the United States (including the resources of the exclusive economic zone), any state or local government or Indian tribe, or any foreign government.
14. “Navigable Water” are waters subject to navigation and tributaries thereto, including intermittent waterways and adjoining shorelines. This definition includes, as applicable, any surface waters, dry creek beds and wetlands, as well as certain other areas described in 40 C.F.R. § 110.1.

Information Requests

Respondent is required to provide the following information (including all supporting documents for the information) regarding the discharge of oil from the Facility that was reported to the National Response Center on January 21, 2015, NRC Incident #1106276 (the "Release"):

Representative Information

1. Identify the person(s) answering these questions on behalf of Respondent, its affiliates, contractors and other related entities, including full name, business mailing address, business telephone number and relationship to Respondent.
 - a. Identify the individuals or entities with control and responsibility over the Facility.
 - b. Describe the relationship with Hawaiian Fueling Facilities Corporation along with its roles and responsibilities at the Facility.

Facility Information

2. Describe the Facility at the time of the Release, including:
 - a. Name and the location of the Facility;
 - b. The design and function of the facility, including the marine terminal, pipelines, secondary containment features, subsurface containment slurry walls and when these were constructed or installed;
 - c. The size and design of the tanks in use at the Facility, the Facility's total capacity, and any specific information on the cause of the Release;
 - d. Primary product(s) stored at the Facility;
 - e. The specific tank from which the Release occurred, the average daily throughput of product, and the calculated throughput of product at the time of the Release.
3. Provide all relevant information on past releases and their impacts to the surface and subsurface at, below and around the Facility.
 - a. Identify and provide documentation or detail for all API 653 or similar tank integrity tests performed throughout the life of the tanks at the Facility, and identify any other integrity testing and inspection activities, who performed these tests/inspections, the dates of such tests/inspections, and any repair actions taken;

- b. Provide all relevant tank maintenance and repair records.
- 4. Provide a copy of the Respondent's *Pipeline Integrity Management Plan* as prescribed by 49 C.F.R. § 195.452 or equivalent. Please also provide current and historical copies of the *Spill Prevention, Control and Countermeasure (SPCC) Plans* and *Facility Response Plans (FRPs)* as prescribed by 40 C.F.R. Part 112.
- 5. Provide a description of any incidents at the Facility since 2005 of tank volume or inventory discrepancies greater than 1% that required reconciliation or similar adjustment, and a narrative of the identified cause, if any, of the tank volume or inventory discrepancy.

Description of Release

- 6. Describe the material or oil that was the subject of the Release, including, but not limited to, the chemical name and concentration of any constituent or additive. If available, provide chemical abstract number(s), material safety data sheet(s), hazardous waste determinations, chemical and physical characteristics, analytical data, etc.
- 7. Provide the total quantity of oil or hazardous substance (in gallons or barrels) of the Release, and explain how this was calculated.
- 8. Describe the quantity (in gallons or barrels) recaptured and explain how this quantity was calculated, and provide copies of any available documentation or materials used in making this determination.
- 9. If applicable, describe the quantity (gallons or barrels) of oil or hazardous substance that:
 - a. Reached a navigable water, explain how this was calculated and provide any available documentation,
 - b. Reached a drainage channel, stream, creek or other tributary or adjoining shoreline of any navigable water, explain how this was calculated and provide any available documentation.
- 10. State when (date and time), how, and by whom (include name, address and telephone number) the Release was first discovered. If different, state when (date and time), how and by whom (include name, address and telephone number) a representative of the Facility first discovered the Release.
- 11. Provide the date and time that the Release began, including a description of how this was determined.
- 12. Provide a description of the cause of the Release, including a failure analysis of the tank

in which the failure occurred.

13. Provide a chronological description of events that led up to Respondent's response actions from the time it first became aware of a possible discharge from the Facility to the time that response personnel were mobilized.

Impact of Release

14. Provide any photographs of the Release and the location, both before and after, of any clean up resulting from the Release.
15. Describe the pathways of migration of the Release from its source into or on soil, groundwater, surface water, or other navigable waters. Describe the surface features, soils, geology and hydrology in which the pipeline resides and in the vicinity of the pathways. Include copy of 7.5 minute topographic map and/or other scaled diagram identifying the source of the Release and delineating the extent of migration into any of these geographic features.
16. For each navigable water or tributary reached by the Release, provide the following:
 - a. Name, if any, location and type of water (river, stream, lake, pond, impoundment, wetland, drainage ditch, intermittent stream, storm water drainage system, sewer, etc.) as delineated on a copy of topographic map (7.5 minute) or other scaled diagram.
 - b. Flow characteristics (e.g., non-flowing, quiet, turbulent, low, high, flooded, etc.), including flow direction (if it is an intermittently flowing waterway (e.g., a drainage ditch, a storm sewer, a seasonally dry stream bed, etc.), state whether any water was present during the time oil from the Release remained).
 - c. Describe the uses, including commerce, recreation, agriculture, industry, or other uses.

Notification & Government Involvement

17. Provide documentation of any communications with federal, state and local government agencies pertaining to the Release, including any clean up orders issued to Respondent, or cost recovery or penalties against the Respondent assessed by and paid to any governmental agency as a result of the Release.
18. List all federal, state, and local agencies, if any, that were notified of the Release by Respondent. A complete response should include the date, time, name of the respective agency, official contacted and an indication of whether the agency dispatched a representative to the Release.

Response/Clean Up of Release

19. Describe any other discharges (date, location) from the Facility in the past ten (10) years that resulted in a response by the Respondent. The discharges may include actual discharges into or threat of discharges into navigable waters or adjoining shorelines.
20. Describe any remediation efforts undertaken by the Respondent following the Release, and explain whether any discharged oil or hazardous substance has remained in the environment, in what amount and provide any available documentation.
21. Describe any changes made to the Facility and tankage to prevent this type of discharge from occurring again. Describe any equipment repairs or replacements and additional preventive measures taken, or contemplated, to minimize either the possibility of another discharge or the seriousness of another discharge, including actual or (in the absence of actual) estimated costs.
22. Describe the extent of actual or potential damages to public health or welfare, or the environment of the United States, including but not limited to drinking water supplies, sensitive ecosystems, wildlife (including endangered species), fish, shellfish, public and private property, shorelines, beaches and vegetation caused by the Release (include a description of how this was determined; for each affected resource provide a description of conditions before cleanup operations began, as well as after cleanup).

Efforts to Mitigate Release

23. If applicable, describe any active measures the Respondent undertook to prevent the Release from reaching any navigable waters, and the quantity of oil or hazardous substance that was captured in this fashion and prevented from reaching such waters. State specifically when each of these actions was taken and provide any available documentation.
24. Describe any efforts or investments the Respondent made prior to the Release to prevent such occurrences, including associated capital costs, operations and maintenance costs, or any other costs of prevention.
25. Provide any other pertinent information that you would like the U.S. EPA to consider.